

1 facts that would be relevant in this lawsuit?

2 A. I would think Alan Kronmiller.

3 Q. Have you spoken to him about this case at all?

4 A. No, I haven't.

5 Q. Is he still with the company?

6 A. Yes, he is. He's still my supervisor.

7 Q. Anybody else?

8 A. I don't know who all in CSC would have  
9 knowledge of that. He's the only one I talked to on a  
10 regular basis.

11 Q. Anybody else that you have spoken to that you  
12 think would have knowledge that would be relevant to this  
13 case?

14 A. I don't know most of the people that make the  
15 decisions.

16 Q. Do you know anybody that made the decisions?

17 A. I think the letter I got, and I'm not even  
18 sure, that was from Bill Cullen, the acknowledgment  
19 letter.

20 Q. Do you know him?

21 A. I know the name.

22 Q. Anybody else that you think might have  
23 knowledge relevant to this case?

24 A. I can't think of anybody.



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1 Q. Do you have any debts at this time?

2 A. No.

3 Q. Any credit card debts?

4 A. No. I pay off every month.

5 Q. Have you spoken to anybody about being a  
6 witness in this case?

7 A. No.

8 Q. Have you asked anybody to be a witness in this  
9 case?

10 A. I don't believe so.

11 Q. Have you talked to anybody about the case?

12 A. Other than Hector Calderon who I work with and  
13 he's involved, that was all.

14 Q. Have you told me everything that you know or  
15 remember that forms the basis for your case?

16 A. Yes, I did.

17 MR. WILSON: Object to form.

18 Q. Is there any other information that you  
19 consider to be relevant or that would support your claims  
20 that you haven't told me about?

21 MR. WILSON: Object to the form.

22 A. No.

23 MR. SEEGULL: Why don't we take a short  
24 break and I'll see if I missed anything.



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1 (A recess was taken.)

2 MR. SEEGULL: Mr. Rollins, I have no  
3 further questions for you at this time. Your attorney  
4 may have questions for you and then I may have some  
5 follow-up depending upon what your attorney asks you.

6 BY MR. WILSON:

7 Q. Mr. Rollins, same rules apply as Mr. Seegull  
8 explained to you. I just have a couple questions here.

9 Can you explain how your compensation  
10 package was set up at CSC in relation to how your  
11 compensation package was set up at DuPont?

12 A. Yes. They explained to us that some of the  
13 benefits with CSC were not as good as what DuPont had, so  
14 they increased our salary that they said would take up  
15 the slack in that.

16 And they also -- DuPont had the variable  
17 compensation program that we reached after a certain  
18 level, and they had said that the AMIP program would take  
19 the place of that. And that the whole idea was we would  
20 either be better or the same as we were with DuPont.

21 Q. So was the AMIP bonus program supposed to be  
22 part of your total compensation package?

23 MR. SEEGULL: Objection. Leading.

24 A. Yes, I believe so.



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1 Q. Was that part of the deal to entice you to come  
2 to CSC?

3 MR. SEEGULL: Objection.

4 A. Yes, it was.

5 Q. Was the AMIP bonus an earned AMIP?

6 MR. SEEGULL: Objection. Form.

7 A. According to the pay stub that says it's  
8 included in the total earnings.

9 Q. I'd like to show you this document.

10 MR. SEEGULL: You want to mark this as an  
11 exhibit?

12 (Deposition Exhibit No. 10 was marked for  
13 identification.)

14 BY MR. WILSON:

15 Q. Let me know when you have looked at that.

16 A. Okay.

17 Q. In the left-hand column there's an area that  
18 says "Bonus," correct?

19 A. Yes.

20 Q. To the right of that is there a number?

21 A. Yes.

22 Q. What is that number?

23 A. The 23,710?

24 Q. No, the one in the column "Current."



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1 A. 17,458.

2 Q. Yes. Does that represent your AMIP bonus?

3 A. Yes, it does.

4 Q. Down below there's a line that says "Total  
5 Earn." What does total earned mean?

6 A. The amount of money I made.

7 Q. Total earnings?

8 A. Total earnings, yes.

9 Q. For the year?

10 A. Correct.

11 Q. Is the AMIP bonus included in that total  
12 earnings?

13 A. Yes, it is.

14 (Deposition Exhibit No. 11 was marked for  
15 identification.)

16 BY MR. WILSON:

17 Q. What was the date on that? Was it Exhibit 10?

18 A. The pay date was 5/18/2001.

19 Q. I'd like you to look at what's been marked  
20 Exhibit 11. What's the pay date on that?

21 A. 5/30/2003.

22 Q. Is your AMIP bonus included anywhere on this  
23 sheet?

24 A. Yes. To the right of the bonus.



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1 Q. How much is it?

2 A. \$17,847.

3 Q. Is this amount included in your total earnings  
4 for the year?

5 A. Yes, it is.

6 Q. I skipped over one.

7 (Deposition Exhibit No. 12 was marked for  
8 identification.)

9 BY MR. WILSON:

10 Q. I'd like you to look at what's been marked  
11 Exhibit 12.

12 A. Okay.

13 Q. Is your AMIP bonus reflected on this sheet?

14 A. Yes, it is.

15 Q. How much was that?

16 A. \$17,188.

17 Q. Is that AMIP bonus reflected in your total  
18 earnings for the year?

19 A. Yes, it is.

20 Q. What's the date on this?

21 A. This is 5/31/2002.

22 Q. Just a couple more questions.

23 You talked a little earlier about the  
24 bonus plan at DuPont. When you came to CSC, was the



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1 bonus plan at CSC set up similar to that which you got at  
2 DuPont?

3 A. Yes. The total amount was similar. I don't  
4 know about the makeup of the -- I didn't pay much  
5 attention to that. Mostly what I was concerned about was  
6 the amount.

7 Q. Was the intent that the amount be similar?

8 MR. SEEGULL: Objection.

9 A. Yes. That's what they told us, that it would  
10 be comparable or better than the DuPont program.

11 Q. In terms of goals you had to meet or things you  
12 had to do to earn the AMIP bonus, did they change from  
13 year to year?

14 A. In my case, no, because I stayed in the same  
15 assignment.

16 Q. You gave some testimony earlier saying that if  
17 you had been notified two days after the fiscal year  
18 began that your AMIP bonus would be taken away, that that  
19 would be okay. Why would that be okay?

20 A. Companies have the right to take stuff away,  
21 but they need to let you know about it upfront, and I  
22 wouldn't have been happy and I might have gone somewhere  
23 else to work, but at least I would have known about it  
24 instead of finding out six months later.



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1 Q. If they had taken it away two days after the  
2 fiscal year started, would you have felt that they still  
3 owed you for those two days of AMIP bonus?

4 A. Yes. They would have owed. Would it have been  
5 worth going after? No.

6 Q. You also testified that you would not have done  
7 anything differently in your job if you had not known  
8 that you were part of the -- or if you had known that you  
9 were not part of the AMIP bonus program. Why is that?

10 A. I try and keep them separate. I have a job to  
11 do and I do it the best I can regardless of the  
12 compensation. The compensation would affect future  
13 decisions whether you want to keep doing that job or not,  
14 but it's not going to affect how you do that job.

15 Q. Are the accomplishments that you have to meet  
16 or the goals that you have to meet built into your job  
17 description? Let me ask it again.

18 The goals that you have to meet to get  
19 your AMIP bonus, are they built into your job  
20 description?

21 MR. SEEGULL: Objection. Lack of  
22 foundation.

23 A. We have a document that we review each year  
24 that has objectives in it. As far as I know, I have met



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1 those objectives each year.

2 Q. The September 11th letter, you didn't sign that  
3 until December. Why didn't you sign it right away?

4 A. Well, I didn't agree with it, for one, and I  
5 didn't know what the timing was to sign it and I didn't  
6 feel a need to rush into it. And then when I was called,  
7 I assume it was December, they said, "You need to fill  
8 this out within the next day and fax it to us." So I  
9 did. At that point I figured I had no choice and I  
10 completed the form.

11 Q. When you say you had no choice, what do you  
12 mean by that?

13 A. Well, when you have somebody from upper  
14 management telling you, hey, we have to have this form  
15 tomorrow, fill it out, I didn't know what the retribution  
16 would be of not doing it.

17 Q. Were you concerned that you might lose your  
18 job?

19 A. I certainly was not going to help my standing  
20 with the company to ignore a directive of an  
21 upper-management person.

22 Q. With regard to the discretionary bonus that was  
23 discussed in this September 11th letter, you stated that  
24 you had not been previously eligible for this. Do you



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1 know that as a fact?

2 A. No, I don't.

3 Q. Had you ever heard of the discretionary bonus  
4 before?

5 A. This was the first I heard about it.

6 MR. WILSON: That's all I have.

7 BY MR. SEEGULL:

8 Q. Mr. Rollins, you don't know how AMIP was  
9 calculated year to year, correct?

10 A. Correct.

11 Q. You don't know what the factors were that were  
12 used in determining how much the AMIP would be for any  
13 employee?

14 A. Correct.

15 Q. So it's possible that the formula that was used  
16 for you changed year to year?

17 A. It's possible.

18 Q. You don't know one way or the other?

19 A. No.

20 Q. That's correct?

21 A. Yes. I believe so.

22 Q. In the three exhibits that your attorney used,  
23 exhibits 10, 11, and 12, those are what you call pay  
24 stubs?



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B-0188

1 A. Yes.

2 Q. Those are the pay stubs for a particular pay  
3 date in each of the years, correct?

4 A. Correct.

5 Q. Those are pay stubs for the pay date of  
6 May 18th, 2001; pay stub for May 30th, 2003; and a pay  
7 stub for May 31st, 2002. Correct?

8 A. Correct.

9 Q. This reflects pay not just for that particular  
10 pay period but for a year-to-date period, correct?

11 A. Yes.

12 Q. So the year-to-date column, you see the  
13 year-to-date column in each of these pay stubs?

14 A. Yes.

15 Q. That refers to the calendar year, correct?

16 A. Correct.

17 Q. That is, where it says total earnings for the  
18 year-to-date, let's say on Exhibit 10, you see the total  
19 earnings for year-to-date is \$55,771.11?

20 A. Yes.

21 Q. That's total earnings for the period of  
22 January 1, 2001, through May 11th, 2001, correct?

23 A. Correct.

24 Q. And for Exhibit 11, total earnings of



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1 \$62,856.09. Do you see that?

2 A. Yes.

3 Q. That's total earnings for the period of  
4 January 1, 2003, through May 23rd, 2003.

5 A. Yes.

6 Q. And then for Exhibit 12, you see total earnings  
7 of \$67,208.99?

8 A. Yes.

9 Q. That reflects total earnings for the period of  
10 January 1, 2002, through May 24 of 2002.

11 A. Correct.

12 Q. You said that each of these pay stubs have an  
13 AMIP payment associated with them.

14 A. Correct.

15 Q. And they each reflect an AMIP payment which  
16 reflects earnings for that particular pay period,  
17 correct?

18 A. Yes.

19 Q. They don't reflect earnings for prior calendar  
20 years, they reflect earnings for the calendar years of  
21 the pay stubs that we're looking at?

22 MR. WILSON: Object to the form.

23 A. Yes.

24 Q. In fact, as of September 11th of 2003, at that



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1 point in time you had not earned any AMIP for fiscal year  
2 2003, correct?

3 MR. WILSON: Object to form.

4 A. Yeah, I had not been paid any AMIP at that  
5 point.

6 Q. And you had not earned any AMIP as of that  
7 point?

8 MR. WILSON: Object to the form.

9 A. Yeah, I think that's one of the issues at hand.

10 Q. You hadn't earned it as of that point. You're  
11 maintaining that at the end of the year when the AMIP is  
12 calculated, a portion should be set aside for you,  
13 correct?

14 A. Correct.

15 Q. But as of September 11th, 2003, you had not  
16 earned any AMIP for that period of time, correct?

17 MR. WILSON: Object to the form.

18 A. The work was done during that; therefore, I  
19 think the pay was earned. It just was not paid out.

20 Q. How much pay had been earned at that point, and  
21 how much AMIP pay had been earned at that point if AMIP  
22 hadn't even been calculated?

23 A. I think the estimate would be a portion of what  
24 you received over the last three years or some portion of



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1 that. You can't come up with exact figures, but you can  
2 get in the ballpark.

3 Q. But they don't pay AMIP on a periodic basis, do  
4 they?

5 A. No.

6 Q. They don't pay AMIP month to month.

7 A. Correct.

8 Q. You don't earn it month to month, do you?

9 MR. WILSON: Object to form.

10 BY MR. SEEGULL:

11 Q. You earn it at the end of the year, correct?

12 MR. WILSON: Object to form.

13 A. I think you earn it all year long. They pay it  
14 out at the end of the year.

15 Q. Don't these pay stubs show that you only earn  
16 it at the end of the year when it's paid? Correct?

17 MR. WILSON: Object to the form.

18 A. That's what the pay stub showed.

19 MR. SEEGULL: I have no further questions.

20 BY MR. WILSON:

21 Q. I have a couple follow-up.

22 Mr. Rollins, the work that's done  
23 throughout the year, does that contribute to the total  
24 amount that is awarded as your AMIP bonus at the end of



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1 the fiscal year?

2 MR. SEEGULL: Objection.

3 A. Yes.

4 MR. WILSON: I have nothing further.

5 MR. WILSON: We waive.

6 (Deposition concluded at 10:50 a.m.)

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## T E S T I M O N Y

DEPONENT:	DANIEL P. ROLLINS	PAGE
BY MR. SEEGULL.....		106
BY MR. WILSON.....		170
BY MR. SEEGULL.....		177
BY MR. WILSON.....		188

## E X H I B I T S

DEPOSITION EXHIBIT NO.	MARKED
7 - A letter dated March 7, 1997, to Daniel P. Rollins from Dorothy Eltzroth.....	138
8 - A letter dated September 11, 2003, to Daniel Rollins from Jay Smith.....	153
9 - A paper with handwritten notes.....	158
10 - A document Bates numbered D-10739.....	171
11 - A document Bates numbered D-10794.....	172
12 - A document Bates numbered D-10767.....	173

CERTIFICATE OF REPORTER	PAGE 184
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## CERTIFICATE OF REPORTER

STATE OF DELAWARE:

:

NEW CASTLE COUNTY:

I, Kimberly A. Hurley, Registered Merit Reporter and Notary Public, do hereby certify that there came before me on the 13TH day of January, 2006, the deponent herein, DANIEL P. ROLLINS, who was duly sworn by me and thereafter examined by counsel for the respective parties; that the questions asked of said deponent and the answers given were taken down by me in Stenotype notes and thereafter transcribed by use of computer-aided transcription and computer printer under my direction.

I further certify that the foregoing is a true and correct transcript of the testimony given at said examination of said witness.

I further certify that reading and signing of the deposition were waived by the deponent and counsel.

I further certify that I am not counsel, attorney, or relative of either party, or otherwise interested in the event of this suit.

Kimberly A. Hurley, RMR  
Certification No. 126-RPR  
(Expires January 31, 2008)

DATED:



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B-0195

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BRIAN MILLER, HECTOR CALDERON, )  
CHARLES FOLWELL, DAWN M. )  
HAUCK, KEVIN KEIR, ASHBY )  
LINCOLN, KAREN MASINO, ROBERT )  
W. PETERSON, SUSAN M. POKOISKI, )  
DAN P. ROLLINS, and WILLIAM )  
SPERATI, )

Plaintiffs, )

v. )

C.A. No. 05-10-JJF

COMPUTER SCIENCES CORPORATION, )

Defendant. )

Deposition of KAREN A. MASINO taken pursuant to notice at the law offices of Potter Anderson & Corroon, Hercules Plaza, 6th Floor, Wilmington, Delaware, beginning at 1:00 p.m., on Friday, January 13, 2006, before Kimberly A. Hurley, Registered Merit Reporter and Notary Public.

APPEARANCES:

TIMOTHY J. WILSON, ESQUIRE  
MARGOLIS EDELSTEIN  
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Wilmington, Delaware 19806  
for the Plaintiffs

LARRY R. SEEGULL, ESQUIRE  
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1330 King Street - Wilmington, Delaware 19801  
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B-0197

1 ALSO PRESENT:

2 TYLER B. RAIMO  
3 COMPUTER SCIENCES CORPORATION  
4 Corporate Counsel  
5  
6  
7  
8

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4  
5 KAREN A. MASINO,  
6 the witness herein, having first been  
7 duly sworn on oath, was examined and  
8 testified as follows:

9 BY MR. SEEGULL:

10 Q. Ms. Masino, my name is Larry Seegull. As you  
11 know, I'm an attorney representing Computer Sciences  
12 Corporation. With me today is Linda Boyd, who is an  
13 associate from my office, as well as Tyler Raimo, who is  
14 in-house counsel with Computer Sciences Corporation.

15 During the course of this deposition I'll  
16 be referring to Computer Sciences and CSC. Do you  
17 understand what that means?

18 A. Yes.

19 Q. Have you ever been deposed before?

20 A. No.

21 Q. Let me give you sort of the instructions that  
22 you should abide by during the course of this deposition.

23 First of all, I'll be asking you questions  
24 about the formation and facts of this lawsuit and why you



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B-0198

1 bring this lawsuit and what the lawsuit is about.  
2 Obviously all of your answers have to be verbal because  
3 the court reporter cannot take down head nods or other  
4 body language that in normal communication are fine but  
5 in the context of a deposition they just don't show up on  
6 the transcript.

7                   You have to answer the questions  
8 truthfully and completely just as if you were testifying  
9 in court, and if you do not hear a question or don't  
10 understand a question, just say so and I will repeat it.

11                   If at any point you realize that an  
12 earlier answer you gave was inaccurate or incomplete in  
13 any way, you will be allowed to correct and supplement  
14 the record.

15                   If you need to stop to use the restroom or  
16 to get a drink of water or just to take a short break,  
17 that's fine.

18                   Of course, if you don't know information  
19 or the answer to a question or don't remember the  
20 information, that's fine. Just say so. That's a  
21 perfectly acceptable answer.

22                   You cannot talk to your attorney during  
23 the course of the deposition except if it relates to a  
24 question of privilege, meaning communications you had



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B-0199

1 with your attorney, and I'll try not to ask you about  
2 your communications with your attorney which are  
3 privileged.

4 If you answer the question, I will assume  
5 that you have heard it and understood it and have given  
6 me your best recollection.

7 Do you understand the instructions I have  
8 just given you?

9 A. Yes.

10 Q. Are you taking any medication that could  
11 possibly impair your ability to testify today?

12 A. No.

13 Q. What did you do to prepare for today's  
14 deposition, if anything?

15 A. I met with Tim yesterday and we went over my  
16 documents and the process, the deposition process.

17 Q. By "Tim," you mean Tim Wilson, your attorney?

18 A. Yes. Sorry.

19 Q. How long did you meet with him?

20 A. An hour.

21 Q. When was that?

22 A. Yesterday afternoon at 3:30.

23 Q. Was anybody else in the room when you were  
24 meeting with him?



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B-0200

- 1 A. Yes. I don't know the gentleman's name. Dan.
- 2 Q. Rollins?
- 3 A. Rollins.
- 4 Q. Anybody else?
- 5 A. No.
- 6 Q. You said you went over some documents?
- 7 A. Yes.
- 8 Q. Which documents did you go over?
- 9 A. The documents that I had provided.
- 10 Q. Do you remember which documents they were?
- 11 A. Not offhand. It was mostly the letter and
- 12 salary information, as well as the information you had
- 13 provided which were the salary sheets and the AMIP bonus
- 14 sheets. I believe.
- 15 Q. By "AMIP bonus sheets," do you mean the
- 16 worksheets?
- 17 A. Yes, the worksheets.
- 18 Q. You went over the worksheets that we had
- 19 provided related to your AMIP bonus?
- 20 A. Yes.
- 21 Q. For which years? Do you remember which years?
- 22 A. I believe it was 2001 and '2.
- 23 Q. You went over the offer letter that you had
- 24 received when you came from DuPont?



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1 A. Yes.

2 Q. I'm sorry. Were there any other documents that  
3 you went over?

4 A. Just the salary sheets, the payroll stubs.

5 Q. Do you remember what years or what periods of  
6 time you went over payroll stubs?

7 A. I believe they were the same, 2001, 2002.

8 Q. Have you spoken to anybody else about the  
9 deposition?

10 A. No.

11 Q. Have you spoken to coworkers or other  
12 plaintiffs in the case?

13 A. No.

14 Q. Have you spoken to any family members about  
15 your deposition or your testimony?

16 A. No. They don't even know I'm doing this today.

17 Q. Why haven't you told them?

18 A. Well, my immediate family isn't local, so this  
19 got rescheduled or not scheduled for a while. It just  
20 hasn't come up.

21 Q. That's fine.

22 As I understand your claim, you're  
23 claiming that the company, CSC, owes you money for the  
24 period of April 1 of 2003 through September 11, 2003,



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1 based upon what you believe to be a prorata portion of  
2 the AMIP bonus for that fiscal year.

3 A. Correct.

4 Q. You claim that you are entitled to this under  
5 the Delaware Wage Payment Act.

6 A. Correct.

7 Q. You're not claiming that the company doesn't  
8 have the right to change the AMIP bonus, correct?

9 A. Correct.

10 Q. That is, that you understand and agree that the  
11 company has the right to change the terms of eligibility  
12 and participation in the AMIP bonus plan?

13 A. Yes.

14 Q. Your position is that, once you were notified  
15 on September 11th, 2003, from that point forward you're  
16 not entitled to AMIP bonus, correct?

17 A. Correct. Although I don't know what  
18 September 11th falls on in terms of the payroll. We get  
19 paid every two weeks, but it's a week in arrears.  
20 Wherever that week falls, normally we would get  
21 compensated through the end of that pay period.

22 Q. So from your perspective, you're entitled to  
23 the AMIP payment for the period of April 1, 2003, through  
24 either September 11th, 2003, or the end of that payroll



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1 period?

2 A. Correct.

3 Q. Which would either be within a week or maybe  
4 two weeks of that?

5 A. Exactly.

6 Q. You were notified on September 11th, 2003, when  
7 you received a letter from the company saying you were no  
8 longer eligible for AMIP?

9 A. I believe it was the 11th. It may have been  
10 the 13th when I actually had my face-to-face meeting.

11 Q. At the time that you were notified, you knew  
12 you would no longer get any AMIP payment, correct?

13 A. Correct.

14 Q. What is your Social Security number?

15 A. 222-56-2862.

16 Q. What is your date and place of birth?

17 A. September 1st, 1959. I was born here in  
18 Wilmington, Delaware.

19 Q. Where do you currently reside?

20 A. At 420 West 22nd Street.

21 Q. Do you own or rent your home?

22 A. I rent.

23 Q. How long have you been at that address?

24 A. More than 15 years.



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1 Q. Are you married?

2 A. No.

3 Q. Have you ever been married?

4 A. No.

5 Q. Do you have any children?

6 A. No.

7 Q. Have you ever been arrested?

8 A. No.

9 Q. Or ever convicted of any felony or misdemeanor?

10 A. No.

11 Q. Have you ever served in the military?

12 A. No.

13 Q. When did you first contact an attorney to  
14 handle your case against CSC?

15 A. I believe in October of 2003.

16 Q. Would that have been shortly after you received  
17 notice that you were not going to get any AMIP payment?

18 A. Correct.

19 Q. Once you knew that you were not entitled to any  
20 AMIP payment, that's when you decided you were going to  
21 seek counsel?

22 A. Yes.

23 Q. Who was the first attorney that you contacted?

24 A. Jeff Martin.



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1 Q. Jeff Martin and his firm?

2 A. And his firm, yes.

3 Q. How did you come upon Jeff Martin? How did you  
4 know Jeff Martin?

5 A. We got a referral from someone else who had  
6 done an employee issue. I don't remember, actually.

7 Q. Was it another CSC employee?

8 A. Yes.

9 Q. Was it Diane Poland?

10 A. No. I don't know. Brian Miller is the one  
11 that actually contacted Jeff Martin, and that's how I  
12 knew.

13 Q. Did you ever speak to Jeff Martin early on or  
14 you let that go through Brian Miller?

15 A. No. Brian and I and Dawn Hauck all met with  
16 Jeff Martin. Our first meeting was together.

17 Q. But the name came through Brian?

18 A. Yes.

19 Q. How he got the name you're not sure?

20 A. I don't know.

21 Q. But you think it was through another CSC  
22 employee?

23 A. I don't know whether it was a CSC employee or  
24 another person who had another labor issue. I'm not



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1 sure.

2 Q. What is the agreement you have with your  
3 attorneys about the payment of attorneys' fees?

4 A. The agreement is they receive one-third, I  
5 believe, or 33.3 percent of any payment.

6 Q. Meaning if you recover anything, they will be  
7 paid out of that recovery one-third of whatever your  
8 recovery is?

9 A. Correct.

10 Q. That relates to attorneys' fees, but there are  
11 also things called costs. Do you have any agreement  
12 regarding costs?

13 A. I don't believe so. I don't remember.

14 Q. For instance, there's a cost to receiving the  
15 transcript today. Do you have any agreement about the  
16 cost of that transcript?

17 A. I don't know.

18 Q. Did you sign an agreement with your counsel?

19 A. Yes. I'm sure it's in there.

20 Q. I'm sure it is. Do you still have a copy of  
21 that agreement?

22 A. I do.

23 Q. You will produce a copy of that agreement for  
24 us?



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B-0207

1 A. I can.

2 Q. That would be great. Do you have it with you?

3 MR. WILSON: Was that requested in the  
4 request for production?

5 MR. SEEGULL: It was.

6 MR. WILSON: We will produce a copy for  
7 you.

8 MR. SEEGULL: We can do it at a break. I  
9 don't have a problem if we do it at a break. But I'd  
10 rather not have to re-call her as long as we're here.

11 BY MR. SEEGULL:

12 Q. Have any lawsuits ever been filed against you?

13 A. No.

14 Q. Have you ever filed any other lawsuits other  
15 than this case?

16 A. No.

17 Q. Have you ever been a witness in a case other  
18 than this case?

19 A. No.

20 Q. Have you ever declared bankruptcy?

21 A. No.

22 Q. Have you ever made a claim for unemployment  
23 benefits?

24 A. No.



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B-0208

1 Q. Have you ever made a claim for workers'  
2 compensation benefits?

3 A. No.

4 Q. Do you have any relatives that work for or have  
5 worked for CSC?

6 A. No.

7 Q. What's the highest level of education you  
8 received?

9 A. I have a Bachelor's of Arts and a Bachelor's of  
10 Science.

11 Q. From where?

12 A. University of Delaware.

13 Q. When did you graduate?

14 A. 1981. December of '81.

15 Q. What was your degree in?

16 A. I have a degree in computer science and one in  
17 operations management.

18 Q. Have you ever received any awards or honors?

19 A. From CSC?

20 Q. At any point in time.

21 A. Yes.

22 Q. What awards and honors have you received?

23 A. They give recognition awards.

24 Q. What kind of recognition awards?



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1 A. For either project work or particular efforts.  
2 There's a recognition award process that CSC has.

3 Q. Is that called a spot bonus?

4 A. I don't believe it's called spot bonus.

5 Q. What is it called?

6 A. They also have discretionary bonuses, as well.

7 Q. Why don't you tell me about each of the awards  
8 and honors you have received, if you remember them.

9 A. I'm not going to remember them all, but I  
10 recently got a night on the town award.

11 Q. From CSC?

12 A. From CSC. For working through a proposal  
13 process with our client. I have gotten several of those.

14 I have gotten cash payments, gift  
15 certificates to the company store. Things like that.

16 Q. Would you characterize these as small awards  
17 that the company gave you, recognizing small project  
18 performances that you have given?

19 A. Yes.

20 Q. Anything else that you would characterize as an  
21 award or honor?

22 A. Not that I recall at the moment.

23 Q. Any other education or training that you have  
24 received?



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1 A. I have received training classes at CSC. Is  
2 that what you're referring to?

3 Q. What kind of training?

4 A. Management training, sales training. Those  
5 kinds of things.

6 Q. Anything else?

7 A. Technical training back in the day.

8 Q. What do you mean "back in the day"?

9 A. When I did technical work, I would receive  
10 technical training on various product sets.

11 Q. Anything else?

12 A. No.

13 Q. Have you ever received any professional or  
14 work-related certification?

15 A. I don't believe so.

16 Q. Where did you work prior to CSC?

17 A. DuPont.

18 Q. How long had you worked at DuPont?

19 A. Fifteen years.

20 Q. Is that since you graduated from college?

21 A. Pretty much. I had left DuPont twice, but -- I  
22 didn't work for DuPont right out of college, but I worked  
23 during college at DuPont.

24 Q. Right after college where did you work?



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1 A. I worked in Harrisburg at a utility services  
2 company.

3 Q. For how long did you do that?

4 A. About two years.

5 Q. Then you started working for DuPont?

6 A. Then I was back at DuPont.

7 Q. Did you stay at DuPont continuously from there  
8 on out?

9 A. Yes.

10 Q. You stopped working for DuPont when?

11 A. In May of '97.

12 Q. Did you come over with a group?

13 A. I came over with the entire group.

14 Q. Would that have been in June of '97?

15 A. Yes.

16 Q. What positions did you hold at DuPont?

17 A. When we transitioned?

18 Q. At all times.

19 A. At all times? I was a programmer, a project  
20 manager, a team leader, I was a technology manager at  
21 transition.

22 Q. What's a technology manager?

23 A. We got a subset of technology that was our  
24 responsibility to move through the product life cycle and



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B-0212

1 make sure it was applied consistently across DuPont.

2 Q. Did your salary increase each year you were at  
3 DuPont?

4 A. Yes.

5 Q. Did you receive bonuses for certain years that  
6 you were at DuPont?

7 A. No.

8 Q. Did you ever receive a bonus at DuPont?

9 A. Received project bonuses, but I was not on  
10 their bonus program.

11 Q. When you were hired by CSC, were you told  
12 anything about the bonus program at CSC?

13 A. Yes. We were told that they had a comparable  
14 bonus program to DuPont's.

15 Q. Did you know anything about DuPont's bonus  
16 program?

17 A. Yes.

18 Q. How did you know about the bonus program if you  
19 weren't eligible for it?

20 A. Because there was discussions about my  
21 eligibility for that program.

22 Q. While you were at DuPont?

23 A. While I was at DuPont.

24 Q. What did you know about DuPont's bonus program



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B-0213

1 while you were there?

2 A. That it was considered variable compensation  
3 payable on an annual basis. There were certain  
4 objectives that you met throughout the year.

5 Q. Was it an objective measure? Were there  
6 subjective factors?

7 A. At DuPont?

8 Q. Yes.

9 A. I believe it was mostly objective, but having  
10 not been on it, I can't verify that.

11 Q. Do you know what the factors were that the  
12 company considered when they were deciding whether to  
13 award a bonus and how much to award?

14 A. Not specifically, no.

15 Q. Do you know what level of employee was eligible  
16 for awards under the DuPont bonus plan?

17 A. Yes. They were eligible -- some people were on  
18 the programs at level 4, 4-A, 5, 5-A, and above.

19 Q. What was your level?

20 A. Before transition?

21 Q. Yes.

22 A. I believe I was a 4-A.

23 Q. So why were you not getting the bonus plan if  
24 other 4-A employees were?



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1 A. That's a good question. That was part of the  
2 discussion.

3 Q. You had this discussion with your supervisor?

4 A. Yes.

5 Q. Who was your supervisor?

6 A. At the time it was Frank Cebula.

7 Q. What did Mr. Cebula say?

8 A. He said that since we were in transition, that  
9 we would address it when we moved to CSC.

10 Q. What did you understand that to mean?

11 A. I understood that to mean they would do what  
12 they could to put me on the program once we were CSC  
13 employees.

14 Q. Did that happen?

15 A. Yes, actually.

16 Q. Immediately?

17 A. No. I believe a year after.

18 Q. Was that consistent with what he had expected  
19 to happen?

20 A. I believe it was slightly delayed from what he  
21 expected, but, however, I did eventually get it.

22 Q. Did that seem fair to you?

23 MR. WILSON: Object to the form. You can  
24 answer.



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B-0215

1 A. Not particularly.

2 Q. Why not?

3 A. Because, as you said, other people at that  
4 level were already on the bonus program. So my coworkers  
5 were already on the plan that I was not on or eligible  
6 for at the time.

7 Q. What were you told about the CSC bonus plan  
8 when you were being transitioned?

9 A. Again, I was told that they had a similar  
10 program to what DuPont had and that they had an annual  
11 payout, as well.

12 Q. Were you told about how the bonus plan was  
13 administered?

14 A. In what terms?

15 Q. Who administered it, how it was calculated,  
16 when it was paid.

17 A. Not specifically. I had general knowledge of  
18 it since I was a manager at the time.

19 Q. What was your general knowledge of the CSC  
20 bonus plan?

21 A. That depending on your level, the percentage of  
22 the calculation changed, that there were specific  
23 objectives, at the time both quantitative and  
24 qualitative, and that it was paid out at the end of our



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B-0216

1 fiscal year.

2 Q. What do you mean by payout at the end of the  
3 fiscal year? What do you mean by that?

4 A. That the payout that you would receive for the  
5 previous fiscal year -- it gets a little confusing at  
6 CSC -- that you would receive at the end. So after -- at  
7 the end of March, then the payment would come in April or  
8 May.

9 Q. At CSC the fiscal year went from April 1 of the  
10 year until March 31st of the next year.

11 A. Correct.

12 Q. As an example, the 2003 fiscal year is April 1  
13 of 2002 through March 31 of 2003?

14 A. Correct.

15 Q. You're saying the AMIP payout for fiscal year  
16 2003 might not occur until May of 2003?

17 A. Correct.

18 Q. That was true year after year?

19 A. Yes.

20 Q. That you would never receive an AMIP payout  
21 during the fiscal year. It was always after the  
22 conclusion of the fiscal year.

23 A. That's true. Whether you came onto the program  
24 during the year or left in the middle of the year, you



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B-0217

1 would still receive the payment at the end of the fiscal  
2 year.

3 Q. What was the fiscal year for DuPont?

4 A. January 1 through December 31st.

5 Q. When would the bonus payments be made in the  
6 DuPont system?

7 A. I believe they were in January.

8 Q. I know you didn't receive any bonus payments  
9 while you were at DuPont, but do you know if people were  
10 notified during the fiscal year as to what their bonus  
11 payments would be?

12 A. I don't know.

13 Q. Do you know if they knew how bonus payments  
14 were calculated?

15 A. I don't know.

16 Q. When you first came over to CSC in 1997, you  
17 were not on the CSC bonus plan, correct?

18 A. Correct.

19 Q. By the way, the CSC bonus plan is called the  
20 AMIP plan?

21 A. Correct.

22 Q. What does AMIP stand for?

23 A. Account Management Incentive Program, I  
24 believe.



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B-0218



1 Q. Have you ever seen this plan?

2 A. Yes.

3 Q. Where have you seen it?

4 A. It was in the management guide, I believe.

5 Q. Which management guide, do you know?

6 A. There's an employee handbook and then a  
7 management guide that we got when we were supervising  
8 employees or had direct-line responsibility.

9 Q. Was this in the Chemical Group?

10 A. Yes.

11 Q. Which group were you in when you came over to  
12 CSC?

13 A. Which group in CSC?

14 Q. Yes.

15 A. In the Chemical Group which was called Horizon  
16 Initiatives at the time.

17 Q. Then it became Chemical Group?

18 A. It became Chemical and Energy; Chemical, Oil  
19 and Gas; then the Chemical Group. It had a variety of  
20 names.

21 Q. What's the name of it now?

22 A. Chemical account, I believe.

23 Q. Is this the same as TMG?

24 A. It's a part of TMG, which is the Technology



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B-0219

1 Management Group.

2 Q. Who was the head of the chemical account?

3 A. At transition?

4 Q. Yes.

5 A. That might have been Mike Beebe.

6 Q. Who told you about the AMIP plan when you were  
7 coming over to CSC?

8 A. I don't recall specifically. We had sessions  
9 with Human Resources and CSC folks where they laid out  
10 all the differences between the DuPont compensation in  
11 total and the CSC compensation in total.

12 Q. They also went through various benefit plans?

13 A. All the benefit plans and then where our  
14 salaries were adjusted for the differences between the  
15 two plans.

16 Q. You don't know who led that session?

17 A. I don't recall. It was somebody from CSC I had  
18 not met before.

19 Q. Does the name Dot Eltzroth ring a bell?

20 A. Could have been Dot.

21 Q. But you're not sure?

22 A. Not sure.

23 Q. Was it just one session?

24 A. No. There were several sessions.



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B-0220

- 1 Q. Was it the same person that led each session?
- 2 A. I don't remember.
- 3 Q. Do you remember what was said about the AMIP
- 4 plan?
- 5 A. Not specifically.
- 6 Q. Were you provided with any documents about the
- 7 AMIP plan?
- 8 A. In those sessions? I don't believe so.
- 9 Q. At the time of transition or around that time.
- 10 A. I don't believe I would have received that,
- 11 since I was not on the bonus program at the time.
- 12 Q. You said there was a chemical plan that you
- 13 received when you became a manager?
- 14 A. Yes.
- 15 Q. When would that have been?
- 16 A. Shortly after transition.
- 17 Q. When you say "shortly," what do you mean?
- 18 A. Within a year.
- 19 Q. Would that have been at the start of fiscal
- 20 year 2004?
- 21 A. 1998.
- 22 Q. I'm sorry. At the start of fiscal year 1998?
- 23 A. Yes.
- 24 Q. So approximately April of '97?



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B-0221

1 A. No. We transitioned in '97. See how confusing  
2 that fiscal year is?

3 Q. You're right. It does get confusing. Let me  
4 start again.

5 You came over in June of '97.

6 A. Correct.

7 Q. That would be during fiscal year 1998?

8 A. '98, right.

9 Q. Would it have been at the start of fiscal year  
10 '99 --

11 A. Correct.

12 Q. -- that you received the chemical -- that you  
13 became a manager?

14 A. To my recollection, yes. During that time.

15 Q. So approximately April of '98?

16 A. May have been May or June, but in that time  
17 frame.

18 Q. April or June, somewhere in there?

19 A. Yes.

20 Q. At some point during that time frame is when  
21 you received this management handbook for the chemical  
22 account?

23 A. Correct.

24 Q. In there, there are some provisions regarding



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1 AMIP?

2 A. Correct.

3 Q. Other than the provisions in that handbook, are  
4 you aware of any other written policies about AMIP?

5 A. No.

6 Q. What positions have you held while you have  
7 been at CSC?

8 A. I was an operations manager. I'm sorry. I was  
9 a technology manager first, then an operations manager,  
10 then a portfolio manager, and now I'm an account manager.

11 Q. What salary levels have you been at while at  
12 CSC?

13 A. I transitioned at salary level 4. I was made a  
14 5 within, I think, three months because they had  
15 misleveled some folks. Now I'm a level 6.

16 Q. When were you made a level 6?

17 A. I don't specifically recall. 1999 or 2000. I  
18 don't remember.

19 Q. Would it have been after you were promoted to  
20 the chemical account manager's position?

21 A. It was when I was an operations manager. I was  
22 promoted and put on the AMIP program at the same time.

23 Q. What time would that have been?

24 A. What year or what time of year?



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B-0223

1 Q. Both.

2 A. It would have been in June. May or June.

3 Q. Of '99?

4 A. Either '99 or 2000. I have to look at my  
5 records to see.

6 Q. What were you told about the AMIP plan?

7 A. I was told I was eligible for 20 to 25 percent  
8 of my salary based on certain objectives that were  
9 normally set sometime during that fiscal year.

10 Q. Is it true that your understanding of the AMIP  
11 plan is that the calculations change year to year?

12 A. The calculation for what's included in the AMIP  
13 plan?

14 Q. How the AMIP bonus gets calculated changes year  
15 to year.

16 A. How it gets calculated changes year to year.  
17 Normally the percentage does not change that frequently.

18 Q. Let's just see if we understand our terms.

19 A. Percentage of eligibility.

20 Q. How is AMIP calculated?

21 A. It was calculated based on certain performance  
22 factors and certain percentages given to performance  
23 factors that totaled 100 percent of your eligible  
24 quantity percentage. So if I was eligible for



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1 20 percent, those factors would have added up to  
2 100 percent of that 20 percent.

3 Q. So the 20 percent in the example you just gave  
4 is the total possible bonus you could receive?

5 A. Correct.

6 Q. That is, if every objective is met at  
7 100 percent, then you could receive up to 20 percent of  
8 your salary?

9 A. Correct.

10 Q. That percentage changes year to year or it  
11 doesn't?

12 A. The first few years it didn't change at all.  
13 It was always -- we had always met all the objectives and  
14 we got 100 percent of that for the first couple of the  
15 years.

16 Q. What was that percentage for the first couple  
17 of years?

18 A. You mean --

19 Q. The total percentage of your salary that you  
20 could get.

21 A. Twenty percent.

22 Q. That's called the bonus potential, right?

23 A. I'm not sure what its name is.

24 Q. It's 20 percent of your salary?



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1 A. Yes.

2 Q. That's your potential, your total potential  
3 bonus.

4 A. It's one of the potential bonuses that you were  
5 eligible for. We used to also get an account bonus and  
6 certain people got premium skills pay. There were other  
7 bonus programs, in other words.

8 Q. Let's see if we can make sure that I understand  
9 you, because the skills bonus or premium skills bonus or  
10 retention bonus or other kinds of account bonuses, do  
11 they have anything to do with this case?

12 A. No.

13 Q. This case is only about the AMIP bonus,  
14 correct?

15 A. Correct.

16 Q. So let's make sure when we're talking about  
17 bonus, we're only talking about the AMIP bonus, correct?

18 A. Correct.

19 Q. When I talk about a total bonus, I'm talking  
20 about the total AMIP bonus.

21 A. Okay.

22 Q. And the total potential AMIP bonus was that  
23 percentage you're identifying, 20 percent?

24 A. Right. It could move from 20 to 25 percent,



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1 but yes, that's the range.

2 Q. Some years it was 20 percent?

3 A. Right.

4 Q. Some years it might have been 25 percent?

5 A. No.

6 Q. And some years it could have been in between?

7 A. No. I'm sorry. I'm not explaining it

8 correctly. Your eligibility was always preset. If

9 you're eligible for 20 percent, that's what your target

10 was.

11 Q. That's for your entire career at CSC?

12 A. No. Only for whatever that fiscal year was.

13 So it could have changed the next year to 25 percent. I

14 have never heard of anybody dropping.

15 Q. So some years it was 20 percent and then some

16 years it went up to 25 percent?

17 A. Mine was always 20 percent.

18 Q. Yours was always 20 percent. That makes it

19 easy.

20 So that the total AMIP bonus that you

21 could ever receive was 20 percent of your salary?

22 A. Correct.

23 Q. How the bonus was calculated, that would change

24 year to year?



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1 A. Correct.

2 Q. There were different factors that were used?

3 A. Yes.

4 Q. What were some of the factors that were used in  
5 the calculation of the AMIP bonuses?

6 A. Depending on the year, they were financial  
7 goals of the account, financial goals of the company,  
8 earnings per share, your specific performance in your job  
9 function.

10 Q. What would be some metrics that the company  
11 would measure in terms of financial goals of the account?

12 A. Again, they measure earnings per share,  
13 operating income. Those kinds of things.

14 Q. Those are financial goals of the company.

15 A. Yes. And they also measured -- the operating  
16 income and those financials goals were also measured at  
17 the account level.

18 Q. Those are all different factors that the  
19 company used to calculate the AMIP bonus?

20 A. Correct.

21 Q. Sometimes those factors were used, sometimes  
22 they weren't used, correct?

23 A. I'm not sure how to answer that. The factors  
24 would change from year to year.



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1 Q. So let's just give an example. Earnings per  
2 share, that might be a factor one year, it might not be a  
3 factor another year?

4 A. Correct.

5 Q. Or operating income might be a factor one year,  
6 it might not be a factor another year?

7 A. Correct.

8 Q. Is the same true for the individual performance  
9 component, that that might be a factor one year but not a  
10 factor another year?

11 A. I believe so.

12 Q. How would you find out what the factors were  
13 and how they were going to be used?

14 A. We would get the AMIP worksheet at some period  
15 during the year where the factors were described and  
16 explained.

17 Q. Am I correct that you wouldn't receive that  
18 AMIP worksheet until later in the year, let's say  
19 September, October, November?

20 A. That's correct. It did not always come out  
21 early in the year.

22 Q. We have talked about the different factors that  
23 might be used, and I'm not asking you for an exhaustive  
24 list because there were a lot of different factors that



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1 were used. Correct?

2 A. There were a handful. Maybe six. For the most  
3 part, they were consistent through the years, so we knew  
4 in general what they would be year to year.

5 Q. But they could change?

6 A. They could change, but in general, we would  
7 know.

8 Q. In addition to the factors themselves  
9 potentially changing, the targets also changed, correct?

10 A. Correct.

11 Q. That is, earnings per share might be a factor  
12 year after year, but the target for earnings per share  
13 would change year to year.

14 A. Correct.

15 Q. The same target for operating income would  
16 change year to year.

17 A. Correct.

18 Q. And the target for individual performance would  
19 change year to year.

20 A. Correct.

21 Q. Who set the targets?

22 A. I don't know.

23 Q. Who set the factors that were going to be  
24 considered?



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1 A. I don't know.

2 Q. Did you have any input into the targets or the  
3 factors?

4 A. No.

5 Q. You said you received worksheets that laid all  
6 this out?

7 A. Yes.

8 Q. And the worksheets that laid this out you would  
9 receive in the September/October/November time frame?

10 A. I believe so.

11 Q. How would you receive these worksheets? Would  
12 you receive them in e-mail form or printed form handed to  
13 you?

14 A. Typically they were handed to us. We did get  
15 one in e-mail form.

16 Q. What year did you get in e-mail form?

17 A. I don't remember. 2003, maybe. No, couldn't  
18 have been 2003. 2002.

19 Q. It could have been fiscal year 2003, but during  
20 the year 2002; is that right?

21 A. Yes.

22 Q. Who would e-mail it to you, and who would hand  
23 it to you?

24 A. Our manager would hand it to us. At the time



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1 that was Bob Tattle. Or Debbie Krakowski. I believe  
2 when it was e-mailed, it was e-mailed right from Human  
3 Resources.

4 Q. What would you do once you had this worksheet  
5 handed to you or e-mailed to you? Did you do anything?

6 A. There was some discussion about how we were  
7 doing with that target with our management and whether we  
8 felt we were in line or had to make adjustments for the  
9 rest of the year.

10 Q. Would you have that discussion right when it  
11 was sent to you or you might not have those discussions  
12 until later in the fiscal year?

13 A. Yeah, it would be pretty immediate.

14 Q. Sometimes you might be on target and sometimes  
15 you might not be on target?

16 A. They were mostly on target, from my  
17 recollection.

18 Q. Prior to receiving those worksheets, you would  
19 have no way of knowing how the AMIP was going to be  
20 calculated for that fiscal year?

21 MR. WILSON: Object to form. You can  
22 answer.

23 A. Not specifically, but we would have a general  
24 knowledge of what the performance factors would be.



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1 Q. You would assume that the performance factors  
2 and company financial factors would remain the same year  
3 to year?

4 A. Yes.

5 Q. But you didn't know for sure.

6 A. Correct.

7 Q. For instance, you might assume that operating  
8 income would be included in one year, but it might not  
9 be.

10 MR. WILSON: Object to form.

11 A. Correct.

12 Q. You would assume that your performance might be  
13 an individual component of the AMIP calculation, but it  
14 might not be.

15 MR. WILSON: Object to form. You can  
16 answer.

17 A. Correct.

18 Q. Who was in charge of calculating the bonuses?

19 A. I don't know.

20 Q. You told me that bonuses were not paid until  
21 after the fiscal year ended.

22 A. That's correct.

23 Q. Why is that?

24 A. You mean why didn't they do a semiannual



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1 payout?

2 Q. Or a monthly bonus payout or quarterly.

3 A. I don't know.

4 Q. Do you know who was eligible for the bonus?

5 A. CSC's plan you mean?

6 Q. Yes.

7 A. Typically you would know -- if you were  
8 managing people, you would know who on your staff was  
9 eligible for the bonus.

10 Q. What was the threshold for eligibility?

11 A. At level 5 you were eligible for 5 to  
12 10 percent; level 6, 20 to 25 percent, and it went up  
13 from there.

14 Q. Did your salary increase every year that you  
15 were at CSC?

16 A. My salary increased. My total compensation has  
17 not.

18 Q. I'm not asking about that. I'm asking about  
19 your salary.

20 A. Yes.

21 Q. Your salary increased every year you have been  
22 at CSC?

23 A. Yes.

24 Q. The reason you're saying your total



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1 compensation did not increase every year was because you  
2 have not received an AMIP bonus for the past two years?

3 A. Correct. And other management incentives that  
4 were also -- we also don't get anymore.

5 Q. Such as?

6 A. There was an account bonus and an incentive  
7 compensation bonus that we used to get we don't get  
8 anymore.

9 (Deposition Exhibit No. 13 was marked for  
10 identification.)

11 BY MR. SEEGULL:

12 Q. I'm now showing you what's been marked as  
13 Exhibit 13. Do you recognize this, Ms. Masino?

14 A. Yes.

15 Q. What is it?

16 A. This is my offer letter from CSC.

17 Q. You signed this on March 18th, 1997?

18 A. Correct.

19 (Deposition Exhibit No. 14 was marked for  
20 identification.)

21 BY MR. SEEGULL:

22 Q. I'm now showing you what's been marked as  
23 Exhibit 14. Do you recognize this?

24 A. Yes.



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1 Q. What is it?

2 A. This is my offer ever when I transferred to be  
3 a portfolio manager from operations manager.

4 Q. I could be wrong, but I think by the time you  
5 received this letter, you had already received the AMIP  
6 for at least one year prior.

7 A. That's correct, I believe.

8 Q. I'm not sure that we have that letter.

9 A. May 2001.

10 Q. Let me tell you why I think that. There's a  
11 paragraph that starts: "Your participation in CSC's  
12 Management Incentive Program will continue."

13 Do you see that?

14 A. Yes. I'm sorry.

15 Q. That's why I'm figuring you probably had  
16 already received the AMIP.

17 A. Right.

18 Q. Is it logical to assume that you started  
19 receiving the AMIP in the year 2000?

20 A. I believe that's correct.

21 Q. You understood that there were no guarantees  
22 that you would receive the AMIP forever.

23 MR. WILSON: Object to the form.  
24



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1 BY MR. SEEGULL:

2 Q. Correct?

3 A. Correct.

4 Q. You understood that the company has the right  
5 to change the terms and conditions of your employment?

6 A. Correct.

7 MR. WILSON: Object to form.

8 Q. You're not employed pursuant to any contract of  
9 employment, correct?

10 A. Correct.

11 Q. You're an at-will employee?

12 A. Yes.

13 Q. You're not disputing that the company has the  
14 right to make changes to the eligibility of the AMIP  
15 plan?

16 A. No, I'm not.

17 Q. In the year in which you were told that you  
18 were no longer eligible for AMIP, had you received a  
19 worksheet by the time that you were told that?

20 A. No, I don't believe so.

21 Q. What is Horizon?

22 A. Horizon Initiatives was the original name of  
23 the chemical account.

24 Q. What documents do you maintain govern your



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1 right to receive the AMIP?

2 MR. WILSON: Object to the form.

3 A. I'm not sure I understand that question.

4 Q. Do you maintain that there's any document or  
5 policy that says you have a right to receive the AMIP?

6 A. Well, I believe each offer letter that I have  
7 that states that I am still eligible for the program  
8 leads me to believe I'm still in the program.

9 Q. You're still in the program until you're told  
10 you're no longer in the program.

11 A. Correct, but up until that point I would be  
12 earning that bonus.

13 Q. I understand that during the year 2003, fiscal  
14 year 2004, you were not told that you were ineligible for  
15 the AMIP until approximately September 11th, 2003.

16 But at the point in which you were told  
17 that, you had not earned any AMIP up until that point,  
18 correct?

19 MR. WILSON: Object to the form.

20 A. No, I don't believe that's correct at all. I  
21 believe I did earn -- AMIP is not earned once a year.  
22 It's earned throughout the year for the entire year's  
23 performance.

24 Q. What is DSO?



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